

## **EXHIBIT 2**

**From:** [Wohlgemuth, Stephen](#)  
**To:** [Ellsworth, Felicia H](#)  
**Subject:** RE: Order re settlement comms  
**Date:** Friday, July 14, 2023 12:46:44 PM

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**EXTERNAL SENDER**

Felicia –

The order speaks for itself and does not contemplate objections. The Court already expressly ordered production of the documents that you know claim to want to log. The time for JPM to assert this “privileges” was during the argument on this issue. Instead of doing that, JPM expressly waived any mediation objection. We are willing to temporarily postpone production while we have a discussion with Judge Phillips.

As I already mentioned, we are not available on July 19 and, in any event, will need to find a date after the document issues are resolved. We obviously need the documents before the deposition. And even setting that issue aside, it sounds as if JPM would instruct its witness not to disclose information covered by the “mediation privilege” being asserted by Doe and Judge Phillips (despite JPM’s express waiver of that privilege).

If you want to talk, I am around at my desk until 2.

Thanks.

**Stephen Wohlgemuth**  
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**From:** Ellsworth, Felicia H <[Felicia.Ellsworth@wilmerhale.com](mailto:Felicia.Ellsworth@wilmerhale.com)>

**Sent:** Friday, July 14, 2023 12:28 PM

**To:** Wohlgemuth, Stephen <[SWohlgemuth@wc.com](mailto:SWohlgemuth@wc.com)>

**Subject:** RE: Order re settlement comms

Steve,

Thanks for confirming on custodians. For clarity, here is what we are doing so it is all in one place.

We are running search terms across emails with either the mediator or counsel for the Doe class for two custodians: me and Alan Schoenfeld. The time period for this search is May 19 to June 11. As you know, both Judge Phillips and Doe counsel are objecting to production of any communications with either of them on the basis of mediation privilege. Therefore, while we have located responsive communications, we intend to withhold and log them on this basis, and will serve a privilege log today. Since we are logging rather than producing the communications, I think that provides the time you requested for your continued discussions with Judge Phillips. I know you’re in a deposition

today but later today or tomorrow, perhaps we can continue the discussion of how to navigate the mediation privilege objections as I have a suggestion for your consideration.

For internal JPMC emails, we are running search terms across the custodial file of JPMC GC Stacey Friedman for the same period. As you know, we disagree there is any basis to invade privilege and therefore will not produce privileged communications. I don't have the final production set, but I don't believe we have yet located any non-privileged internal JPMC communications, so this may be just a log as well.

I have confirmed that Ms. Friedman has no hard copy notes. In terms of hard or soft copy notes for myself or Alan, to the extent they exist (I know there are no hard copy notes, I do not know about soft copy) such notes would not fall within the scope of our search, as we are searching only external communications. (I recognize you dispute this scope, which is tied up with the privilege / summaries issue).

Finally, we are searching the custodial file of Joe Evangelisti for external communications relating to the settlement, including settlement motivations, for the same time period. Because we did not pull Mr. Evangelisti's custodial file until this week (after we held our first meet and confer on this topic), we will not be in a position to produce responsive documents, if any, from Mr. Evangelisti today; I anticipate being in a position to do so by Monday but will keep you apprised.

We will designate Alla Lerner, Managing Director and Associate General Counsel at JPMC, as our 30(b)(6) representative. Ms. Lerner is available for deposition on July 19 in New York.

Please let me know when would be convenient for a call to discuss this further.

Thanks,  
Felicia

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**From:** Wohlgemuth, Stephen <[SWohlgemuth@wc.com](mailto:SWohlgemuth@wc.com)>  
**Sent:** Thursday, July 13, 2023 10:36 PM

**To:** Ellsworth, Felicia H <[Felicia.Ellsworth@wilmerhale.com](mailto:Felicia.Ellsworth@wilmerhale.com)>  
**Subject:** RE: Order re settlement comms

**EXTERNAL SENDER**

I'm fine with taking Evangelino and not pressing for additional custodians now. We reserve our rights on everything else (summaries, privilege, etc) including the right to ask for more custodians in the event of a privilege ruling.

We talked about handwritten notes, which I understand you are searching for and may be a null set. We would need any notes from the mediation (e.g., kept in a word doc, notekeeping app, emails sent to self, etc). [Subject of course to our potential broader standstill agreement which you are still getting back to me on]

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**From:** Ellsworth, Felicia H <[Felicia.Ellsworth@wilmerhale.com](mailto:Felicia.Ellsworth@wilmerhale.com)>  
**Sent:** Wednesday, July 12, 2023 8:51 PM  
**To:** Wohlgemuth, Stephen <[SWohlgemuth@wc.com](mailto:SWohlgemuth@wc.com)>  
**Subject:** Re: Order re settlement comms

Yes. I have been at an event, but I can call you around 915 if that is not too late.

Felicia H. Ellsworth  
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617-501-5676 (c)

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**From:** Wohlgemuth, Stephen <[SWohlgemuth@wc.com](mailto:SWohlgemuth@wc.com)>  
**Sent:** Wednesday, July 12, 2023 7:15:45 PM  
**To:** Ellsworth, Felicia H <[Felicia.Ellsworth@wilmerhale.com](mailto:Felicia.Ellsworth@wilmerhale.com)>  
**Subject:** Order re settlement comms

**EXTERNAL SENDER**

Hi,  
Can we speak about this? I called and left a v/m.

**Stephen Wohlgemuth**  
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